

**REMARKS**

The reply pursuant to an election/restriction requirement filed on February 4, 2004 by the applicant was deemed not fully responsive because of enumerated matters concerning flaws in the election of species.

Accordingly, to make the previous submission fully responsive, applicant presently elects the species of Table I on page 10 of applicant's specification. In accordance with that election, applicant believes that claims 70, 73, 76, 80, 83 and 84 all read on the elected species. An updated list of present claims has also been presented.

A telephone interview was held with Examiner Edward A. Miller on May 19, 2004 in which the issue of properly defining a species was discussed. The assistance of Examiner Miller in this matter is greatfully acknowledged.

Respectfully submitted,

NIKOLAI & MERSEREAU, P.A.



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**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that the foregoing Letter in response to the non-final Action mailed April 20, 2004, in application Serial No. 09/088,163, filed on June 1, 1998, of John R. Moser, Jr., entitled "REDUCED ENERGY BINDER FOR ENERGETIC COMPOSITIONS", and a transmittal letter are being sent by facsimile transmission to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 20, 2004.



Barbara L. Davis  
Barbara L. Davis  
On behalf of C. G. Mersereau

Date of Signature: May 20, 2004